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9

10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 WILLIAM W. PINION,

13 Plaintiff,

14 v.

15 AMERICAN EXPRESS and EXPERIAN  
16 INFORMATION SOLUTIONS, INC.,

17 Defendants.

Case No. 2:15-cv-02398-RCJ-NJK

Order DENYING

JOINT PROPOSED DISCOVERY PLAN  
AND PROPOSED ORDER SUBMITTED  
IN COMPLIANCE WITH LOCAL RULE  
26-1(e)

Removed to U.S. District Court: December 16,  
2015

18  
19 Plaintiff William W. Pinion ("Plaintiff") and Defendant Experian Information Solutions,  
20 Inc. ("Experian") (collectively, the "Parties"), by and through their respective counsel, hereby  
21 submit this proposed Joint Discovery Plan and Scheduling Order in compliance with Local Rule  
22 26-1(e).

23 PROPOSED DISCOVERY PLAN

24 **Fed. R. Civ. P. 26(f) Conference.** On February 5, 2016, counsel for Experian and  
25 Plaintiff participated in a discovery and scheduling conference (the "Conference") to discuss all  
26 of the issues required by FRCP 26(f).

27 The Parties now propose the following discovery plan:  
28

1           **1.     Discovery Cut-Off Date:** Experian removed this case to U.S. District Court on  
 2     December 16, 2015. Experian filed its answer to Plaintiff's complaint in state court prior to  
 3     removal. To allow for all discovery to take place, the proposed cut-off date for discovery shall be  
 4     June 14, 2016, 180 days from the date of removal.

5           **2.     Amending the Pleadings and Adding Parties:** All motions to amend the  
 6     pleadings or to add parties shall be filed not later than March 16, 2016, 90 days prior to the  
 7     proposed close of discovery.

8           **3.     Fed.R.Civ.P. 26(a)(2) Disclosures (Experts):** Disclosures and reports concerning  
 9     experts shall be made by April 15, 2016, 60 days before the proposed discovery cut-off date.  
 10    Disclosures concerning rebuttal experts shall be made by May 16, 2016, 30 days after the initial  
 11    disclosure of experts.

12          **4.     Dispositive Motions:** The date for filing dispositive motions shall not be later  
 13    than July 14, 2016, 30 days after the proposed discovery cut-off date. In the event that the  
 14    discovery period is extended from the discovery cut-off date set forth in this proposed Discovery  
 15    Plan and Scheduling Order, the date for filing dispositive motions shall be extended to be not later  
 16    than 30 days from the subsequent discovery cut-off date.

17          **5.     Pretrial Order:** The date for filing the joint pretrial order shall not be later than  
 18    August 15, 2016, 30 days after the cut-off date for filing dispositive motions. In the event that  
 19    dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30  
 20    days after decision on the dispositive motions or until further order of the court. In the further  
 21    event that the discovery period is extended from the discovery cut-off date set forth in this  
 22    Discovery Plan and Scheduling Order, the date for filing the joint pretrial order shall be extended  
 23    in accordance with the time periods set forth in this paragraph.

24          **6.     Pretrial Disclosures:** The disclosures required by Fed. R. Civ. P. 26(a)(3), and  
 25    any objections thereto, shall be included in the joint pretrial order.

26          **7.     Extensions or Modifications of the Discovery Plan and Scheduling Order:**  
 27    Applications to extend any date set by the discovery plan, scheduling order, or other order must,  
 28    in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for

1 the extension. All motions or stipulations to extend a deadline set forth in a discovery plan shall  
2 be received by the Court no later than twenty-one (21) days before the expiration of the subject  
3 deadline.

4 **8. Initial Disclosures:** The Parties shall make initial disclosures on or before  
5 February 22, 2016.

6 **9. Discovery Motions:** All discovery and discovery-related motions shall be  
7 completed by June 14, 2016, the discovery cutoff date.

8 **10. Protective Orders:** Experian may seek to enter a stipulated protective order  
9 pursuant to Rule 26(c) prior to producing any confidential documents in its possession.

10 **11. Consent to Electronic Service:** The Parties consent to electronic service of  
11 discovery documents.

12 DATED this 8th day of February 2016.

13 SNELL & WILMER L.L.P.

14  
15 By: /s/ Bob L. Olson

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~~SCHEDULING ORDER~~

~~The above set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rule 16-1.~~

**DENIED.** Paragraph 9 is unclear as written.

IT IS SO ORDERED.

February 9, 2016

Dated \_\_\_\_\_

  
\_\_\_\_\_  
United States Magistrate Judge

Snell & Wilmer

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